

Minutes of a meeting of the Scrutiny Commission held at County Hall, Glenfield on Wednesday, 11 March 2026.

PRESENT

Mrs D. Taylor CC (in the Chair)

Dr. J. Bloxham CC  
Mr. M. Bools CC  
Mrs. L. Danks CC  
Dr. S. Hill CC  
Mr. A. Innes CC  
Mr. P. King CC

Mrs. K. Knight CC  
Mr. M. T. Mullaney CC  
Mr. B. Piper CC  
Mr J. Poland CC  
Mr. K. Robinson CC  
Mr. C. A. Smith CC

In attendance

Mr. H. Fowler CC (minutes 71 and 72 refer).

63. Minutes of the previous meeting.

The minutes of the meeting held on 28 January 2026 were taken as read, confirmed and signed.

64. Question Time.

The Chief Executive reported that five questions had been received under Standing Order 32.

**Questions asked by Mr. Stephen Walkley**

“The Council has spent £39.4m on Lutterworth East (FOI response 16 October 2025 - EIR/009476).

- (1) Has the council an estimate of the additional infrastructure costs of the development to the Council? If so what are they?
- (2) When does the Council expect work commence on the development?
- (3) Is Lutterworth East considered to be a viable development?
- (4) Is it still the intention to build a spine road for Lutterworth East, rather than the urgently needed North / South bypass for Lutterworth? If so when is construction expected to start?
- (5) At the Harborough District Council Planning meeting the representative of the County Council accepted that as the affordable housing percentage had reduced from 40% to 10% the houses that would be built would be larger and therefore

there would be room for fewer than the original plan of 2,750 houses. How many do the Council now expect to be built in Lutterworth East?"

### Reply by the Chair

- (1) Lutterworth East has been granted planning consent for a development scheme which includes substantial infrastructure works. These include on site infrastructure including widening of the A4304 to allow for access to the Site and accommodate traffic, the provision of a spine road and bridge of the M1 to the A426 for the benefit of the development and the wider area, community and social facilities including primary schools, sports pitches and public open space. Offsite infrastructure requirements include improvements to M1 J20 and M1 J21, the Frank Whittle roundabout, A5/Gibbet Lane roundabout, public transport improvements, connections into Lutterworth town centre, secondary education, GP, police, waste and library contributions.

The Council are currently looking at options for the delivery of the development which will be delivered in phases and by development partners who will build and finance the infrastructure works. The majority of works are expected to be paid for by developers rather than the County Council.

- (2) Work is happening to progress the development, for example ground surveys and obtaining the necessary planning documents in relation to the conditions forming part of the planning consent. The design of the initial road works is currently being undertaken. The technical approval and traffic management plus procurement of the contractor will be undertaken through the summer and a start on site is expected during the summer and autumn of 2026 for initial access works. Preparatory work is expected to commence in the Spring.
- (3) The original planning consent from May 2022 included a requirement of 40% affordable housing and a condition restricting the size of any building on the B8 (warehousing/distribution) site of the development to 9,000sqm. Following the covid pandemic and rising construction costs these requirements were making the scheme unviable and unattractive to developers. The Council succeeded in obtaining a variation to the planning consent at the HDC planning committee in December 2024 to bring the level of affordable housing down to a minimum of 10% and allow for larger warehouse units to be built on the B8 site with the restriction being removed from the planning consent.

The variation was granted following the provision of an independent assessment of viability, this also showed that the scheme could be viable with the requested changes.

As with all large scale developments viability is assessed at key decision points. If viability of the scheme improves the level of affordable homes would increase accordingly.

- (4) Yes – planning permission was granted for a spine road as part of the development. This will be constructed as the various phases of the development move forward. There is a planning requirement to complete the spine road between the A426 and A4304 prior to the occupation of the 650th dwelling or a vehicular connection is available for public use onto Gilmorton Road whichever is the sooner. The initial construction phase is likely to be linked to the construction

of the B8 site.

- (5) The number of homes remains at 2,750 houses in line with the original hybrid planning consent, despite changes to the affordable housing percentage.

Affordable housing refers to price and tenure, not physical size. Therefore, reducing the proportion of affordable housing does not necessarily mean that the remaining homes will be larger, nor that fewer homes will be built overall.

Affordable housing is defined as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices.

It should include provisions for the development to remain at an affordable price in perpetuity for future eligible households or, where any affordable housing development is subsequently sold on the open market for the value to be recycled for replacement affordable housing provision in the locality.

Affordable housing will be provided based on the policies in the Harborough District Council's Local Plan; the National Planning Policy Framework and the Section 106 Agreement for the development

Whilst the minimum level of affordable housing has been reduced from 40% to 10% to make the development viable, four viability re-assessments will take place at key stages of the development to review whether there can an increase in the affordable housing provision or not.”

With the consent of the Chairman, Mr Walkley advised that he had four supplementary questions.

Mr Walkley asked on the response to his question (1) if the Council had an estimate of the costs to the Council for the Lutterworth East scheme? £39.4m had already been spent on the scheme, and just to say 50% of the works were expected to be paid by developers would still leave the Council committed to significant expenditure.

At the request of the Chairman, the Director of Corporate Resources responded to advise that the vast majority (not just 50%) of costs would be met by the developers. However, by way of an estimate, on a scheme of this scale, the infrastructure to be provided covering roads, education and other elements could be in the region of £150m. The final amount would, however, depend on the approach taken to build that infrastructure and the timing of construction.

On the response to question (2) Mr Walkley asked, as the Council only had outline planning permission for the scheme, how works could commence without detailed planning permission having been obtained? The Director responded that the works related to initial road access as agreed with Harborough District Council as part of the implementation of the planning permission.

Regarding the responses provided to question (3), Mr Walkley asked when the last assessment of viability had been carried out and when it was expected that the next key decision point be and at which time a new viability assessment would be needed?

At the request of the Chairman the Director advised that the last assessment had been undertaken in conjunction with Harborough District Council when changes had been made to the planning permission. The next viability assessment would be carried out either when government funding had been secured to support the scheme or a housing developer sought to progress the first stage of the residential part of the scheme. It was emphasised that carrying out a viability assessment was a costly and time consuming exercise and so would not be done until necessary.

Mr Walkley asked on the response to question (4) when it was expected that construction of the spine road would start, noting that it was stated this would be when construction of the B8 site commenced.

The Director responded that construction of the B8 part of the scheme would go out to an external developer and it would be up to the preferred bidder to schedule when to carry out those works, including those required to the spine road that provided access. It was highlighted that the spine road had been appraised to be sufficient for the development as part of the planning process and that no national funding scheme to support a new bypass existed so the construction of the spine road continued to form part of the overall scheme.

65. Questions asked by members under Standing Order 32(1).

The Chief Executive reported that no questions had been received under Standing Order 32(1).

66. Urgent items.

There were no urgent items for consideration.

67. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

68. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

69. Presentation of Petitions under Standing Order 33.

The Chief Executive reported that no petitions had been received under Standing Order 33.

70. Member Conduct Arrangements

The Commission considered a report of the Monitoring Officer, the purpose of which was to set out the Council's ethical governance arrangements relating to member conduct following a request made by the Scrutiny Commissioners in January this year. The report focused on the framework, processes and governance measures in place but did not consider individual allegations of misconduct, nor the merits of any specific complaints

which fall outside the remit of scrutiny. The report also highlighted where leadership on conduct and standards is exercised alongside the formal standards framework, particularly through the expectations placed on all elected members. A copy of the report marked 'Agenda item 8' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) The Monitoring Officer advised of her intention to present a report to the Corporate Governance Committee at its meeting in June. This would be to provide an update on Member conduct complaints since the last report of the Monitoring Officer in November last year. The current practice was to provide an annual report, however, due to the increased number of complaints received, it was considered appropriate for a mid-year update to also be provided.
- (ii) As part of the report to the Corporate Governance Committee, Members noted that a summary setting out the context and seriousness of particular complaints where a public apology had been made would be included, and this would also name the members who had been the subject of those particular complaints. The Committee would also be asked to amend the current procedure for dealing with complaints to allow for this summary to be published at the time the public apology is made, rather than relying solely on reporting to the Committee. The Commission supported this proposed change in approach, and agreed that for the public apology to be meaningful such details should be published at the same time.
- (iii) Members questioned how it was determined that a member was acting in their 'official capacity', particularly in relation to social media comments. It was noted that members might state they were acting in a personal capacity but if comments related to Council business or their role, the Code could still apply. Posts unrelated to Council business would be unlikely to fall within the remit of the Code, however, each complaint and the circumstances surrounding this would need to be considered on a case by case basis. It was recognised that this caused some confusion amongst members of the public. The Monitoring Officer emphasised that members were not expected to be acting as councillors 24/7, but some actions (such as referencing their role even if expressing their personal views) could bring their behaviour within the remit of the Code.
- (iv) Members commented on the limitations of current sanctions available when a member was found to have breached the Code. Existing sanctions were widely considered not to be fit for purpose and relied heavily on party group discipline which did not cover independent or parish councillors. Members noted that historically, a national standards regime existed but that this had been replaced due to lengthy appeals and politically motivated complaints. The Monitoring Officer advised that national reforms were expected from the Government which might reintroduce more severe sanctions, including temporary suspensions, but details of how this would operate in practice had not yet been made clear.
- (v) The implications of a temporary suspension were queried regarding how this would interact with the rule which meant members who did not attend a meeting during a six month period were disqualified from office. The

Monitoring Officer advised that this had been a concern raised during the Government consultation on proposed changes to the standards regime and it remained a matter under consideration.

- (vi) Some Members commented that whilst stronger sanctions were to be welcomed, care was needed to ensure problems that arose under the previous system were not re-created.
- (vii) Members expressed concern regarding both repeat offenders and repeat complainers. The Monitoring Officer assured members that patterns of behaviour could be addressed through training and targeted support which was provided to groups and individual members where needed. Members further noted that the Corporate Governance Committee had agreed criteria to be applied by the Monitoring Officer and the Member Conduct Panel which included the ability to reject complaints considered to be politically motivated or vexatious.
- (viii) A Member questioned whether consistent standards were applied to both officers and elected members. It was noted that both were governed by distinct statutory frameworks but that the Nolan principles applied to both. Also the Member Officer Protocol within the Council's Constitution ensured officers and members worked together in an environment of trust and respect. It was acknowledged that different Codes were needed to reflect the different roles officers and members played within the Authority. Officers, as employers, were restricted in ways that elected members were not particularly regarding political expression, for example.
- (ix) In response to questions regarding the most common themes of complaints received, the Monitoring Officer advised that key issues related to respect and perceptions of bringing the Council into disrepute. Members noted the need to balance robust political debate, which was acceptable, against personal or targeted attacks, which were not
- (x) A Member queried how the number of complaints received in Leicestershire compared with neighbouring and comparator councils. The Monitoring Officer agreed to look into this and share more information if this was available when reporting to the Corporate Governance Committee. It was noted that not all councils published such data and those that did were not necessarily in comparable formats.
- (xi) Members queried whether conditions such as autism, which may affect communication or understanding of consequences, were considered as part of the Council's current complaints processes. The Monitoring Officer confirmed that where such information was known, it would be taken into account by both her and the Panel.
- (xii) The Commission noted that an unprecedented number of complaints had been received in the last 12 to 18 months and that this had increased processing time due to necessary checks having to be undertaken in line with the Council's procedures which included meeting with the independent persons.

- (xiii) Members expressed concern about the overall cost to the Council arising from the increased number of complaints and questioned what additional costs were incurred when an investigation had to be carried out. The Monitoring Officer advised that complex cases often required investigation following consideration by the Member Conduct Panel, and that the cost of such investigations could range significantly from £2,000 to £20,000.
- (xiv) Members strongly supported enhancing the Council's current training requirements. Training on the Code of Conduct was not currently mandatory, however, members agreed that this should be introduced and requested that reporting on those that had and had not completed this should be included in the Monitoring Officers update to the Corporate Governance Committee. It was noted that training on the Code was often required by the Member Conduct Panel where a breach was found to have occurred. The Monitoring Officer also advised of additional training and support resources now available through the LGA.

RESOLVED:

- (a) That the contents of the report and additional information now provided by the Monitoring Officer on member conduct matters be noted;
- (b) That the Corporate Governance Committee be requested to consider:
  - Making training on the Members' Code of Conduct mandatory, with compliance to be monitored and reported annually;
  - Allowing for a summary of complaints to accompany the publication of a public apology to provide some contextual information;
- (c) That the Monitoring Officer be requested to consider how the number of complaints received in respect of Leicestershire members compared to other similar county authorities and to provide such benchmarking information in future reports to the Corporate Governance Committee.

71. Rural Estate Strategy

The Commission considered a report of the Director of Corporate Resources, which presented the draft Investing in Leicestershire Programme Rural Estate Strategy for 2026 to 2036 for comment and set out the proposed approach to future management of the Programme's portfolio of farms and rural properties. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

In presenting the Strategy the Lead Member for Resources, Mr Harrison CC, emphasised the importance of the rural estate not only in financial terms but also in supporting farming communities, protecting the countryside and sustaining the viability of tenant farmers in a challenging economic environment.

Arising from discussion, the following points were made:

- (i) Members noted that tenant engagement during the consultation on the draft Strategy had been positive with many of their priorities aligning with those of the Council around sustainability and viability. Members agreed the need for ongoing communication to support both tenants and the Council's

management of the estate for the long term.

- (ii) Members supported the proposed vision of the Strategy and the aim to support new entrants into farming. The Director outlined proposals to establish 'nursery farms' that would run as pilots within Leicestershire. The need to strike a balance between ensuring business viability, which was difficult for a small farm, and providing an opportunity for new farmers to establish themselves, was recognised.
- (iii) Members endorsed the overall Strategy but stressed the need to ensure the estate remained viable without subsidisation. A member further commented on the need to balance the benefits of retaining farmland whilst also exploring opportunities for development to maximise the Council's income. The Director advised that disposals were only considered where development opportunities existed and that, despite this, the estate was expected to remain broadly the same size overall, with acquisitions also considered where appropriate.
- (iv) Concerns were raised regarding the recent significant increases in tenant rents, acknowledging that this had resulted from rent reviews not having been carried out over several years. Members welcomed assurances provided by the Director that rent reviews were now up to date across the estate and that these would be carried out on a three-year cycle as part of the Rural Strategy. This would improve estate management and avoid future rental spikes for tenants in the future.
- (v) Members reiterated the strategic importance of farming to the wider economy and national food security, particularly in light of global uncertainties.
- (vi) Members noted works to support biodiversity initiatives which also helped deliver the Council's statutory biodiversity duty and its Local Nature Recovery Strategy, as well as outcomes within its Climate Resilience Delivery Plan. A Member suggested that further pilot activity in this area would be advantageous, building on the success of places like Broombriggs Farm, for example.
- (vii) Questions were raised about how the Council's returns compared with other authorities with farm holdings. The Director advised that the Council sought independent external advice to ensure rents were set at market levels. Past benchmarking had shown the Council's rental levels to be above average, however, the availability of national benchmarking data in this area was limited to make a truly fair comparison.
- (viii) A Member queried the criteria adopted by the Council when considering the allocation of a new farm tenancy and questioned whether priority was or could be given to local residents who had a commitment to the County. The Director undertook to provide further information on this to members after the meeting.
- (ix) Members welcomed plans to work more collaboratively with Brooksby Agricultural College, the Veterinary School at Nottingham University, the NFU, National Forest and other organisations to support research and

student engagement on Council owned farms and to support those interested in agroforestry.

- (x) Members noted that diversification requests from tenants were received but that these were generally low, typically one or two per year. These were permitted when they aligned with the farms agricultural purpose. The Council recognised the need for farmers to diversify to make farms sustainable and sought to support this as far as possible.
- (xi) In response to a question raised, the Director advised that there were currently no discussions taking place with neighbouring authorities regarding the rural estate and the potential impact of Local Government Reorganisation. Such discussions would commence once the Government had determined its preferred approach.

#### RESOLVED:

- (a) That the draft Investing in Leicestershire Programme Rural Estate Strategy for 2026 to 2036 be noted and supported;
- (b) That the comments now made by the Scrutiny Commission be presented to the Cabinet at its meeting in April for consideration;
- (c) That it be noted that an annual report would be presented to the Scrutiny Commission setting out a rolling five year financial strategy for the estate;
- (d) That the Director be requested to provide further detail on the criteria applied for allocating new farm tenancies, including whether priority could be given to Leicestershire residents committed to the local rural economy.

#### 72. Medium Term Financial Strategy Monitoring Report

The Commission considered a report of the Director of Corporate Resources, the purpose of which was to provide an update on the 2025/26 revenue budget and capital programme monitoring position as at the end of period 10 (the end of January 2026). A copy of the report marked 'Agenda item 10' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) Members noted the overall budget position which had improved since the previous report to the Commission. An underspend of £700,000 had now been forecast compared to an expected £2.9m overspend at period 6. Based on the current forecast, the anticipated requirement to draw on reserves to balance the budget would no longer be needed which Members welcomed.
- (ii) Demand led pressures continued, despite the improved budget position in the short term. This was particularly so for children's and adult's social care services. For children's social care, residential placement pressures and a sharp rise in looked-after children earlier in the year continued to be an issue. Adult social care continued to report pressures around rising supported living costs.

- (iii) The Commission expressed significant concern about the SEND High Needs Block deficit currently forecast at £43m against a budget of £15m. The Director confirmed that the current strategy of setting aside resources in the MTFs to cover part of this deficit continued. The Government had also announced that up to 90% of national SEND deficits as at 31 March 2026 would be covered centrally, but clarity on how this would be calculated was still awaited.
- (iv) Members noted the slippage in completion of the Melton Mowbray Distributor Road due to recent adverse weather. The Director reported that the project remained on track for completion in May, representing only a minor delay.
- (v) Concerns were raised about the level of slippage generally in the capital programme and it was questioned if there were lessons to be learnt given this appeared to be an annual problem. It was noted that the level of slippage was not unusually high when compared to previous years. External factors, particularly regarding planning and the weather remained material constraints that were outside the control of the County Council. The Director undertook to carry out an internal review to confirm slippage costs remained reasonable and to provide an update to members after the meeting.
- (vi) In response to questions raised, the Director reported that the 'Mosaic' graphs on page 76 of the report related to an internal IT system operated in Children's Social Care Services. The annual 'dip' in the graph reflected the accounting treatment related to the number of weeks it was based on rather than a performance related trend, and the stepped increases represented the typical provider uplift seen at the start of each financial year.
- (vii) There had been a slight shortfall in income from the Council's office estate. This had largely been due to voids and additional maintenance work being carried out before the financial year end.
- (viii) Members raised concerns regarding ongoing pressures relating to children placed in secure accommodation, noting that three children were currently placed under court ordered arrangements, costing in excess of £35,000 per week in some cases. It was noted that the costs were largely unavoidable due to these being court ordered placements and the costs reflected the intensive staff to child ratio support required for such children who often had very complex needs. A Member emphasised the unsustainable financial burden this placed on the Council and requested clarity on the number of children affected and up to date details of the costs being incurred.
- (ix) Members raised wider concerns about the national shortage of secure placements, forcing councils to seek high cost, out of county provision. It was recognised that this was a national issue, and that the County Council had raised its concerns regionally through East Midlands Councils with a view to strengthening lobbying of central government. The Chairman of the Children and Families Overview and Scrutiny Committee assured the Commission that this was being looked at and monitored by this scrutiny on a regular basis. A Member requested that an update be sought from the Lead Member for Children and Family Services regarding actions being

taken locally to reduce costs and improve local provision.

- (x) A Member questioned whether the projected overspend of £0.5m across the high needs block funded specialist teaching services aligned with posts previously proposed for removal. The Director undertook to check and report back to Members after the meeting.
- (xi) Clarification was sought regarding whether the net underspend of £5.9m on the Early Years Block could be retained or if this had to be repaid to central government. It was noted that the forecasted underspend was partly due to timing issues of DfE payments and would likely reduce by the year end and that this was reflective of previous years. It was noted that any underspend was retained and early years funding remained ring-fenced.
- (xii) Members noted the TSIL Programme previously reviewed by Newton was not in scope for the ongoing efficiency review, this being an area recently looked at and likely to change as a result of the Government's forthcoming white paper.

RESOLVED:

- (a) That the 2025/26 revenue budget and capital programme monitoring position as at the end of period 10 (the end of January 2026) be noted;
- (b) That the Director be requested to:
  - (i) carry out an internal review of the capital programme to confirm slippage costs were not unusually high this year and to provide an update to members after the meeting;
  - (ii) clarify the number of children in secure accommodation and up to date details of the costs being incurred for this service;
  - (iii) seek from the Lead Member for Children and Family Services an update regarding actions being taken locally to reduce costs and improve local provision around children placed in secure accommodation.

73. Date of next meeting.

RESOLVED:

It was noted that the next meeting of the Commission would be held on Wednesday, 18 March 2026 at 10.00am.

10.00 - 11.58 am  
11 March 2026

CHAIRMAN